

**DENTISTRY EXAMINING BOARD
MINUTES
MAY 4, 2011**

- PRESENT:** Linda Bohacek, RDH; Blane Christman, DDS; Eileen Donohoo, RDH; John Grignon, DDS; Adriana Jaramillo, DDS; Lyndsay Knoell, DDS; Sandra Linhart, RDH; Kirk Ritchie, DDS; William Stempski, DDS
- STAFF:** Kelli Kaalele, Bureau Director; Michele Miller Hayes, Legal Counsel; Karen Rude-Evans, Bureau Assistant; other DRL staff
- GUESTS:** Sharon Crowe and Peter Theo, WDHA; Mark Paget, Tim Durtsche and Mara Brooks, WDA; Lori Pelke, Midwest Dental; Jeff Jones, DDS; Julie Paulson

CALL TO ORDER

Blane Christman, Chair, called the meeting to order at 8:39 a.m. A quorum of nine (9) members was confirmed. Dr. Christman welcomed Eileen Donohoo to the Board.

PLEDGE OF ALLEGIANCE

The Board members, staff and guests rose and recited the Pledge of Allegiance

APPROVAL OF AGENDA

Amendments:

- On page 2 – delete Item E – Board Discussion regarding DANB Proposed Pilot Study (pages 69-78)
- On page 2 – Item F – correct the spelling of “Berres” to “Beres”
- On page 2 – under Division of Enforcement – Discussion of All Care Dental
- On page 2 – under Informational Items:
 - Subcommittee update
 - Resignation letter from Tim Size
- Case Status Report – insert at the end of the agenda in closed session
- Updated Board Roster – for Board information only

MOTION: Kirk Ritchie moved, seconded by Linda Bohacek, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF MARCH 2, 2011

Corrections:

- On page 1:
 - under PRESENT – after Linda Bohacek, correct the time to 8:38 a.m.

- under GUESTS – after Megan Lube, delete ADHA and insert WDHA
- under CALL TO ORDER, delete “Vice” and correct the time to 8:33 a.m.

MOTION: Linda Bohacek moved, seconded by John Grignon, to approve the minutes of March 2, 2011 as corrected. Motion carried unanimously.

PRESENTATIONS OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

Division of Enforcement staff presented the following:

- Bernard E. Stein, DDS, 06 DEN 106 and 06 DEN 107
- Christopher M. Kania, DDS, 08 DEN 015
- William J. Carini, DDS, 08 DEN 084
- Thomas J. Honl, DDS, 09 DEN 035
- Dale P. Falk, DDS, 09 DEN 087, 10 DEN 075 and 10 DEN 076
- Edward M. Farsht, DDS, 10 DEN 122

ITEMS RECEIVED AFTER PREPARATION OF THE AGENDA

The Board discussed their limited enforceability of complaints against All Care Dental.

ADMINISTRATIVE REPORT

Board Member Updates

Eileen Donohoo is the new dental hygiene member on the Board. Tim Size has resigned, which leaves two public member vacancies.

Policy Updates

Kelli Kaalele reported there is a freeze on all out of state travel for the remainder of 2011. Receipts will not be required for in-state travel.

The format of the minutes has changed to actions only which will allow for more efficient use of staff time.

BOARD DISCUSSION REGARDING SLEEP APNEA AND PRESENTATIONS BY B. TUCKER WOODSON, MD, AND JEFFREY JONES, DDS

B. Tucker Woodson, MD, and Jeffrey Jones, DDS, gave presentations to the Board regarding sleep apnea and treatments.

BOARD DISCUSSION REGARDING LASER DENTISTRY

The Board discussed the use of lasers in the dental professions.

MOTION: Lyndsay Knoell moved, seconded by John Grignon, to table the discussion to the next meeting. Motion carried unanimously.

Blane Christman appointed Adriana Jaramillo, Sandra Linhart and Eileen Donohoo to work on a draft position regarding the use of lasers in dentistry and to bring the work product to the next Board meeting for review.

PRACTICE QUESTIONS INCLUDING ANY RECEIVED AFTER MAILING OF THE AGENDA

Question regarding supervision of dental hygiene students

The Board discussed the issue of supervision of dental hygiene students by a dentist.

447.03(3) EXCEPTIONS. No license or certificate under this chapter is required for any of the following:

(b) A dental hygiene student who practices dental hygiene under the supervision of a dentist in an infirmary, clinic, hospital or other institution connected or associated for training purposes with an accredited dental hygiene school.

Dental hygiene programs should establish protocol for the supervision of their students by a licensed dentist.

REVIEW OF CORRESPONDENCE REGARDING RULE CHANGE FOR FACULTY LICENSE

The Board reviewed the correspondence from Steven R. Sewell, DDS. The rule has been sent to the Small Business Review Advisory Committee (SBRAC) and may be set for public hearing at the July 6, 2011 meeting of the Dentistry Examining Board. Michele Miller Hayes will reply to Dr. Sewell.

CRDTS DENTAL HYGIENE EXAMINER APPLICATION

DEBRA BERES, RDH

The Board reviewed the CRDTS dental hygiene examiner application of Debra Beres, RDH.

MOTION: Linda Bohacek moved, seconded by Kirk Ritchie, to recommend approval of Debra Beres, RDH, as a CRDTS dental hygiene examiner. Motion carried unanimously.

CRDTS REPORT

No report at this time.

REVIEW OF DENTAL HYGIENE REGIONAL TESTING CENTER EXAMS

Linda Bohacek addressed the possible review of dental hygiene regional examinations with the Board.

MOTION: Lyndsay Knoell moved, seconded by Eileen Donohoo, to defer further discussion to the next meeting. Motion carried unanimously.

LEGISLATIVE REPORT – LYND SAY KNOELL

There was no report at this time.

INFORMATIONAL ITEMS

Lyndsay Knoell stated the Scope of Practice Subcommittee met immediately following the March 2, 2011 Board meeting. The Subcommittee will not meet again until a public member has been appointed.

Blane Christman recognized Nancy Rublee and Tim Size for their service and dedication to the Dentistry Examining Board.

PUBLIC COMMENTS

Mara Brooks asked if the Administrative Rules Report would be included in future agendas.

CLOSED SESSION

MOTION: Linda Bohacek moved, seconded by John Grignon, to convene to Closed Session to deliberate on cases following hearing (Wis. Stat. § 19.85(1) (a)), to consider licensure or discipline (Wis. Stat. § 19.85(1) (b)), to consider individual histories or disciplinary data (Wis. Stat. § 19.85(1) (f)), and, to confer with legal counsel (Wis. Stat. § 19.85(1) (g)). Motion carried by roll call vote: Linda Bohacek-yes; Blane Christman-yes; Eileen Donohoo-yes; John Grignon-yes; Adriana Jaramillo-yes; Lyndsay Knoell-yes; Sandra Linhart-yes; Kirk Ritchie-yes; William Stempski-yes. Motion carried unanimously.

Open Session recessed at 11:58 a.m.

RECONVENE TO OPEN SESSION

MOTION: Adriana Jaramillo moved, seconded by John Grignon, to reconvene into open session. Motion carried unanimously.

The Board reconvened into open session at 2:44 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

PERSONAL APPEARANCE AND REVIEW OF DENTAL FACULTY LICENSE APPLICATION

WEITING HO

MOTION: Eileen Donohoo moved, seconded by Lyndsay Knoell, to approve the application for faculty license of Weiting Ho when all requirements are met. Motion carried unanimously.

DELIBERATION OF PROPOSED STIPULATIONS FINAL DECISIONS AND ORDERS

**BERNARD E STEIN, DDS
06 DEN 106 AND 06 DEN 107**

MOTION: Linda Bohacek moved, seconded by Adriana Jaramillo, to adopt the Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Bernard E. Stein, DDS. Motion carried unanimously.

**CHRISTOPHER M KANIA, DDS
08 DEN 015**

MOTION: Linda Bohacek moved, seconded by Adriana Jaramillo, to adopt the Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Christopher M. Kania, DDS. Motion carried unanimously.

**WILLIAM J CARINI, DDS
08 DEN 084**

MOTION: Eileen Donohoo moved, seconded by Linda Bohacek, to adopt the Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against William J. Carini, DDS. Motion carried. Kirk Ritchie abstained.

**THOMAS J HONL, DDS
09 DEN 035**

MOTION: Linda Bohacek moved, seconded by Eileen Donohoo, to adopt the Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Thomas J. Honl, DDS. Motion carried unanimously.

DALE P FALK, DDS
09 DEN 087, 10 DEN 075 AND 10 DEN 076

MOTION: Kirk Ritchie moved, seconded by Sandra Linhart, to adopt the Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Dale P. Falk, DDS. Motion carried unanimously.

EDWARD M FARSHT, DDS
10 DEN 122

MOTION: Linda Bohacek moved, seconded by Eileen Donohoo, to adopt the Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Edward M. Farsht, DDS. Motion carried unanimously.

ADMINISTRATIVE WARNING

T.T.T., DDS
10 DEN 100

MOTION: Linda Bohacek moved, seconded by Lyndsay Knoell, to issue an administrative warning to T.T.T., DDS, in case **10 DEN 100**. Motion carried unanimously.

CONSIDERATION OF MOTION FOR EXPUNGEMENT

STEVEN R KANUGH, DDS
93 DEN 002

After discussion, the Board denied the request for expungement from Steven R. Kanugh, DDS. The Board will not reverse the decision of a previous Board and Dr. Kanugh had stipulated to the discipline.

APPLICATION REVIEWS

THOMAS KUKLA, DDS

MOTION: Eileen Donohoo moved, seconded by Kirk Ritchie, to approve the NERB examination and the application for licensure of Thomas Kukla, DDS, when all requirements are met. Motion carried. John Grignon abstained.

WILLIAM REICH, DDS

MOTION: Eileen Donohoo moved, seconded by Kirk Ritchie, to approve the NERB examination and the application for licensure of William

Reich, DDS, when all requirements are met. Motion carried. John Grignon abstained.

MARC WASSERMAN, DDS

MOTION: Eileen Donohoo moved, seconded by Kirk Ritchie, to approve the NERB examination and the application for licensure of Marc Wasserman, DDS, when all requirements are met. Motion carried unanimously.

CASE CLOSINGS

10 DEN 097

MOTION: Lyndsay Knoell moved, seconded by John Grignon, to close case **10 DEN 097** for compliance gained. Motion carried unanimously.

10 DEN 064

MOTION: Lyndsay Knoell moved, seconded by John Grignon, to close case **10 DEN 064** for insufficient evidence. Motion carried unanimously.

10 DEN 124

MOTION: Lyndsay Knoell moved, seconded by John Grignon, to close case **10 DEN 124** for no violation. Motion carried unanimously.

10 DEN 087

MOTION: Lyndsay Knoell moved, seconded by Eileen Donohoo, to close case **10 DEN 087** for no violation. Motion carried unanimously.

09 DEN 103

MOTION: Eileen Donohoo moved, seconded by Lyndsay Knoell, to close case **09 DEN 103** for no violation. Motion carried unanimously.

10 DEN 058

MOTION: Eileen Donohoo moved, seconded by John Grignon, to close case **10 DEN 058** for no violation. Motion carried unanimously.

09 DEN 127

MOTION: John Grignon moved, seconded by Sandra Linhart, to close case **09 DEN 127** for no violation. Motion carried unanimously.

ADJOURNMENT

MOTION: John Grignon moved, seconded by Eileen Donohoo, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:54 p.m.

THE NEXT MEETING IS SCHEDULED FOR JULY 6, 2011